

**TEXT FOR EMAIL (with subject line listing case name and number):**

**NOTICE: YOU MAY HAVE A CLAIM  
FOR PAYMENT FROM A LAWSUIT**

**IF YOU TRANSFERRED FUNDS TO DRIVE PLANNING  
LLC AND/OR PROVIDED GOODS OR SERVICES OR A  
LOAN TO DRIVE PLANNING, YOU MAY BE ENTITLED  
TO RECEIVE A PAYMENT FROM FUNDS RECOVERED  
IN THE ABOVE-REFERENCED SEC ENFORCEMENT  
ACTION.**

**DEADLINE FOR ALL INVESTORS AND CREDITORS  
TO SUBMIT CLAIMS TO THE RECEIVER:  
2025.**

**If you don't submit your claim by [INSERT], 2025, you will waive your  
claims against the Drive Planning Receivership Estate.**

**How to Submit a Claim:**

1. Click >>[here](#)<< to open your online **Proof of Claim Form**.
2. Fill out your Proof of Claim Form and Upload Supporting Documentation through the online claims portal, OR print and mail the completed Claim Form and Supporting Documentation to Drive Planning Receivership Claims Processing c/o Stretto, Inc., 410 Exchange, Ste. 100, Irvine, CA 92602.
3. Contact Stretto, Inc. for technical assistance by telephone at (949) 800-7544 (U.S./Canada Toll-Free) and (855) 693-5100 (International Toll).
4. Contact the Receiver's counsel with any questions by email at [driveplanningreceiver@dvcattorneys.com](mailto:driveplanningreceiver@dvcattorneys.com) or by telephone at (786) 706-9916.

To learn more, read the "Legal Notice" attached to this email.

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**LEGAL NOTICE  
OF CLAIMS PROCESS**

**DEADLINE TO SUBMIT A CLAIM IS [ ]**

Re: *U.S. Securities and Exchange Commission v. Drive Planning, LLC and Russell Todd Burkhalter (Defendants) and Jacqueline Burkhalter, The Burkhalter Ranch Corporation, Drive Properties, LLC, Drive Gulfport Properties LLC, and TBR Supply House, Inc. (Relief Defendants), Civil Action No. 1:24-cv-03583-VMC* pending in the United States District Court for the Northern District of Georgia (the “Court”).

**What Happened in the SEC Enforcement Action?** On August 13, 2024, the SEC filed its Complaint against the Defendants and Relief Defendants. The Court found that the SEC had established a *prima facie* case of securities law violations by the Defendants, and that the Relief Defendants improperly received funds derived from the fraudulent activities. Accordingly, the Court entered a Preliminary Injunction freezing the assets of the Defendants and Relief Defendants, prohibiting the destruction of documents, and requiring an accounting. The Court also entered an Order appointing Kenneth D. Murena, Esq., as Receiver of Drive Planning LLC. The Court granted the Receiver complete authority over management and administration of the assets of Defendant Drive Planning, LLC (“Drive Planning”). The Receiver was tasked with taking possession and control of all operations, assets, and records of the Drive Planning, including, without limitation, all real properties, entities, personal property, and accounts. As part of his duties, the Receiver seeks to pay restitution to investors defrauded by the Drive Planning investment scheme and to creditors of Drive Planning. The Court approved the Receiver’s proposed Claims Process, which will allow potential claimants to submit a Proof of Claim Form and receive a distribution from the Drive Planning Recovery Fund if deemed to have an Allowed Claim.

**What Do I Have to Do?** To have an Allowed Claim, you have to fill out and submit the **Proof of Claim Form**. When you fill out the Proof of Claim Form, you have to promise under oath that these three things are true:

1. You transferred funds, or you provided goods or services or a loan, to Drive Planning;

2. the total amount that you transferred to Drive Planning exceeds the total amount that was returned to you, such that you suffered a net loss, OR you are owed money for goods or services, or for a loan, that you provided to Drive Planning;

AND

3. You are not a member, owner, officer, director, or other insider of Drive Planning, (b) were not a member, owner, officer, director, or other insider of any entity owned in full or in part by Drive Planning, and (c) did not knowingly assist Drive Planning or Defendant Burkhalter to effectuate, perpetuate, or promote any of Drive Planning's investment scheme(s) or have knowledge of the fraudulent nature of such scheme at the time of the investment, loan, or other transaction related to your claim.

If you do not meet ALL THREE of these requirements, DO NOT submit a Proof of Claim Form.

### **How Do I Submit the Proof of Claim Form?**

1. Click [\*\*>>here<<\*\*](#) to open your **Proof of Claim Form** in the online portal.
2. For investor claimants, your Proof of Claim Form consolidates all your Drive Planning accounts on one Form. You will submit a consolidated claim for all claimants listed at the top of your Proof of Claim Form. Your consolidated Proof of Claim Form contains your Allowed Claim Amount as calculated by the Receiver. That Allowed Claim Amount was calculated by totaling all money you sent to Drive Planning in all accounts minus all money you received back from Drive Planning to those accounts. Your Allowed Claim Amount does not include any interest, profit, or fees promised, but not paid, to you.
3. If you ACCEPT the Allowed Claim Amount, you only need to review the Release and Certification and sign the Proof of Claim Form to submit it. You do not need to send any supporting documentation.

4. If you REJECT the Allowed Claim Amount calculated by the Receiver, then you need to fill out the Proof of Claim Form, upload supporting documentation, review the Release and Certification, sign the Proof of Claim Form, and then submit it through the online portal, or print and mail the completed Proof of Claim Form and Supporting Documentation to Drive Planning Receivership Claims Processing c/o Stretto, Inc., 410 Exchange, Ste. 100, Irvine, CA 92602.
5. Contact Stretto, Inc. for technical assistance with the claims process by telephone at (949) 800-7544 (U.S./Canada Toll-Free) and (855) 693-5100 (International Toll).
6. Contact the Receiver's counsel with any questions regarding the Drive Planning Receivership Estate by email at [driveplanningreceiver@dvcattorneys.com](mailto:driveplanningreceiver@dvcattorneys.com) or by telephone at (786) 706-9916.

### **What is the Deadline to Submit the Proof of Claim Form?**

**THE LAST DAY TO SUBMIT A PROOF OF CLAIM IS [REDACTED]. PLEASE NOTE THAT THE PROOF OF CLAIM FORM MUST BE SUBMITTED ONLINE OR MAILED SO THAT IT IS POSTMARKED ON OR BEFORE [REDACTED] IN ORDER FOR THE PROOF OF CLAIM TO BE CONSIDERED TIMELY.**

Any investor or creditor who does not submit a properly completed Proof of Claim Form, as provided above, on or before [REDACTED], shall be forever barred from participation in the distribution of funds held by the Receiver, unless otherwise ordered by the Court presiding over the SEC enforcement action.

The final approval or disapproval of claims, the determination of priority of claims for distribution, and any distribution will be made by the Court presiding over the SEC enforcement action. By completing a Proof of Claim Form, claimants submit to the jurisdiction of that Court and agree that it is the appropriate venue for final adjudication of all claims against the Drive Planning Receivership Estate.